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DOCKET NO.: CELG-0422

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jerome B. Zeldis, et al.

Confirmation No.: 8455

Application No.: 10/820,397

Group Art Unit: 1614

Filing Date: April 8, 2004

Examiner: Not Yet Assigned

For: **METHODS FOR TREATMENT OF COGNITIVE AND MENOPAUSAL DISORDERS WITH D-THREO METHYLPHENIDATE**

EXPRESS MAIL LABEL NO: EV631244137US

DATE OF DEPOSIT: Nov. 7, 2005

EV631244137US

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of reference numbers 206 - 207 listed on the attached Form PTO-1449 are enclosed herewith.

- ☐ Copies of reference numbers - on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

- ☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.


- ☐ The relevance of those listed references which are not in the English language is as follows:

There are no listed references which are not in the English language.

The reference(s) cited on the attached PTO-1449 form was/were cited in the Supplementary Partial European Search Report dated August 18, 2005 that was received in the corresponding EPO application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: *NOV 7, 2005*

  
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Sheet 1 of 1

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. CELG-0422	Application No. 10/820,397
		Applicant Jerome B. Zeldis, et al.	
		Filing Date April 8, 2004	Group 1614
		Confirmation No. 8455	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	206	Challman, T.D., et al., "Methylphenidate: its pharmacology and uses," <i>Mayo Clin Proc.</i> , 2000, 75, 711-721	
	207	Starhill, N., et al., "Methylphenidate for fatigue in advanced cancer: a prospective open-label pilot study," <i>Am. J. of Hospice &amp; Palliative Care</i> , 2001, 18(3), 187-192	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	